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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): DAVID F. GAVIN  
CRAIG WALDRON  
ROBERT J. MARTIN  
GEORGE A. POLSON



Docket No.: 101792-100

Serial No. : Not assigned yet

09/120,664

Examiner : Not assigned

Filed : July 22, 1998

Art Unit : Not assigned

For : "COMPOSITE BIOCIDAL PARTICLES"

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231

Date: July 23, 1998 Dale Lynn Carlson  
Name of Person Mailing Paper

Dale Lynn Carlson  
Signature of Person Mailing Paper

INFORMATION DISCLOSURE TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. 1.56, enclosed are an Information Disclosure Statement, Form PTO-1449 and one copy of each reference. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- [x] 1. The accompanying Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- [ ] 2. The accompanying Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- [ ] a. Each item of information contained in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1); and no fee is required under 37 C.F.R. 1.17(p).

- [ ] b. No item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2); and no fee is required under 37 C.F.R. 1.17(p).
- [ ] c. Please charge Deposit Account No. 23-1665 in the amount of \$230.00 in payment of the fee under 37 C.F.R. 1.17(p). Two additional copies of this transmittal are enclosed.
- [ ] 3. The accompanying Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Please charge Deposit Account No. 01-2230 in the amount of \$130.00 in payment of the fee under 37 C.F.R. 1.17(i)(1). Two additional copies of this transmittal are enclosed.
- [ ] a. Each item of information contained in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- [ ] b. No item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

  
Signature of Attorney or Agent

Dale Lynn Carlson  
Name of Attorney or Agent  
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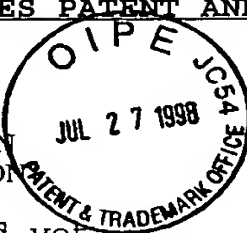
Date: July 23, 1998

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Date:

7/23/98

Dale Lynn Carlson

Name of Person Mailing Paper

Signature of Person Mailing Paper

INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Dear Sir:

In keeping with the duty and candor and good faith owed to the Patent and Trademark Office, applicant wishes to make of record the item on attached PTO Form 1449. Copy of the item is provided in accordance with 37 C.F.R. 1.98.

1. U.S. Patent No. 2,786,847 which issued March 26, 1957 to Francis E. Cislak, entitled "2-Mercapto, Alkanol Pyridine-N-Oxides".
2. U.S. Patent No. 2,809,971 which issued October 15, 1957 to Bernstein et al., entitled "Heavy Metal Derivatives of 1-Hydroxy-2-Pyridinethiones and Method of Preparing Same".

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3. U.S. Patent No. 3,589,999 which issued June 29, 1971 to McRae et al., entitled "Deionization Process".

4. U.S. Patent No. 3,590,035 which issued June 29, 1971 to Ralph A. Damico, entitled "Process for Preparig Pyridine N-Oxide Carbanion Salts".

5. U.S. Patent No. 3,773,770 which issued November 20, 1973 to Ralph A. Damico, entitled "Process for Preparing Pyridine N-Oxide Carbanion Salts and Derivatives Thereof".

6. U.S. Patent No. 5,057,153 which issued October 15, 1991 to Murray A. Ruggiero, entitled "Paint Containing High Levels of a Pyrithione Salt Plus a Copper Salt".

7. U.S. Patent No. 5,246,489 which issued September 21, 1993 to Farmer, Jr. et al., entitled "Process for Generating Copper Pyrithione In-Situ in a Paint Formulation".

8. U.S. Patent No. 5,298,061 which issued March 29, 1994 to Waldron et al., entitled "Gel-Free Paint Containing Zinc Pyrithione, Cuprous Oxide, and Amine Treated Rosin".

9. U.S. Patent No. 5,342,437 which issued August 30, 1994 to Gavin et al., entitled "Gel-Free Paint Containing Zinc Pyrithione Cuprous Oxide and Carboxylic Acid".

10. U.S. Patent No. 5,510,109 which issued April 23, 1996 to Tomioka et al., entitled "Antibacterial and Antifungal Composition".

11. U.S. Patent No. 5,540,860 which issued July 30, 1996 to Hosseini et al., entitled "Process for Preparing Copper Pyrithione".

12. U.S. Patent No. 5,595,750 which issued January 21, 1997 to Jacobson et al., entitled "Anitmicrobial Particles of Silver and Barium Sulfate or Zinc Oxide".


The undersigned applicants' attorney represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

Respectfully submitted,

DAVID F. GAVIN ET AL.

Date:

July 23, 1998

  
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